

# EXHIBIT 4

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

THE LEADER'S INSTITUTE, LLC  
and DOUG STANEART,

*Plaintiffs,*

v.

ROBERT JACKSON and MAGNOVO  
TRAINING GROUP, LLC,

*Defendants.*

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Civil Action No. 3:14-cv-03572-B

**DEFENDANTS' SECOND SUPPLEMENTAL RULE 26(a)(1)(A) DISCLOSURES**

Pursuant to Federal Rule of Civil Procedure 26(a)(1)(A), Robert Jackson and Magnovo Training Group, LLC ("Defendants") hereby submit the following Second Supplemental Rule 26(a)(1)(A) disclosures:

**PRELIMINARY STATEMENT**

These disclosures, while based on Defendants' diligent search and efforts, reflect only the current state of Defendants' knowledge, understanding, and beliefs relating to the matters about which disclosures are made. Discovery is ongoing and Defendants, therefore, reserve the right to supplement these disclosures.

**A. Witnesses.** The name, address, and telephone number of each individual likely to have discoverable information that may support Defendants' defenses, and the information they possess (unless they will be used solely for impeachment):

1. Mr. Robert Jackson  
c/o Brannon Sowers & Cracraft PC and Baron & Budd, P.C.

Robert Jackson is believed to have knowledge regarding prior employment with/work for Plaintiffs; Magnovo Training Group, LLC's operations and

client accounts; all allegations in Plaintiffs' Complaints, Defendants' Answer, Affirmative Defenses and Counterclaims, and Plaintiffs' Answer to Defendants' Counterclaims. Robert Jackson also has knowledge on damages, forgery of the alleged February 1, 2011 non-compete by Staneart and Staneart's pattern of abuse of process and retaliation.

2. Mrs. April Jackson  
c/o Brannon Sowers & Cracraft PC and Baron & Budd, P.C.

April Jackson is believed to have knowledge regarding Magnovo Training Group, LLC's operations and client accounts; allegations in Plaintiffs' Complaints, Defendants' Answer, Affirmative Defenses and Counterclaims, and Plaintiffs' Answer to Defendants' Counterclaims. April Jackson also has knowledge on damages and Staneart's pattern of abuse of process and retaliation.

3. Mrs. Colette Johnston. 411 Walnut Street #8903, Green Cove Springs, Florida 32043, (615) 507-8989.

Mrs. Johnston may have knowledge regarding Magnovo Training Group, LLC's marketing and sales; all allegations in Plaintiffs' Complaints, Defendants' Answer, Affirmative Defenses and Counterclaims, and Plaintiffs' Answer to Defendants' Counterclaims. Ms. Johnston also has knowledge on damages and Staneart's pattern of abuse of process, harassment and retaliation.

4. Mr. Jim Johnston. 411 Walnut Street #8903, Green Cove Springs, Florida 32043, (615) 507-8989.

Mr. Johnston may have knowledge regarding Magnovo Training Group, LLC's website development and other IT issues; all allegations in Plaintiffs' Complaints, Defendants' Answer, Affirmative Defenses and Counterclaims, and Plaintiffs' Answer to Defendants' Counterclaims.

5. Mr. Rick Highsmith. Last known contact information - 3022 Troy Dr., Orlando, FL 32806. (407) 694-9142.

Mr. Highsmith may have knowledge of facts relative to Defendants' defenses and counter-claims in this lawsuit in addition to Staneart's abuse of process, harassment and retaliation by threatening frivolous civil and legal actions against workers who leave work for/employment by TLI.

6. Mr. Craig Waggoner. Last known contact information - 9422 Miriam Ave., St. Louis, MO 63114. (314)-780-2464.

Mr. Waggoner may have knowledge of facts relative to Defendants' defenses and counter-claims in this lawsuit in addition to Staneart's abuse of process, harassment and retaliation by threatening frivolous civil and legal actions against workers who leave work for/employment by TLI.

7. Mr. Frank Beck, Jr. Last known contact information - 6118 Chappell Falls Lane, Fulshear, Texas 77441. (832) 465-7671.

Mr. Beck may have knowledge of facts relative to Defendants' defenses and counter-claims in this lawsuit in addition to Staneart's abuse of process, harassment and retaliation by threatening frivolous civil and legal actions against workers who leave work for/employment by TLI.

8. Ms. Ellen Patnaude. Address unknown. Last known phone number - (248) 534-6409.

Ms. Pautnaude may have knowledge of facts relative to Defendants' defenses and counter-claims in this lawsuit in addition to Staneart's abuse of process, harassment and retaliation by threatening frivolous civil and legal actions against workers who leave work for/employment by TLI.

9. Mr. Raymond Summeier. Current address unknown, but is a resident of Indianapolis, Indiana.

Mr. Summeier may have knowledge regarding abuse of process, harassment, retaliation and defamation by Staneart, TLI and/or others acting on his/its/their behalf relative to Defendants. Mr. Staneart has knowledge of Mr. Summeier's address as he left a note at his place of business in approximately 2014 relative to the current lawsuit and the FLSA Lawsuit stating along the lines that it was in Mr. Summeier's "bests interests to call [Staneart] or be sued."

10. Current and/or former employees/independent contractors of TLI likely have knowledge regarding the claims, counter-claims and defense in this lawsuit. Such individuals include Bill Resh, Joe Jessop, Chris McNeany and Michelle Van Der Lek. Contact information is c/o counsel for Plaintiffs unless otherwise advised by Plaintiffs.

11. Mr. Ted Eby, Detective, Economic Crimes Unit, Arlington Police Department, 620 W. Division Street, Arlington, Texas 76011, (817) 459 5671, ted.eby@arlingtontx.gov.

Detective Eby has knowledge of Staneart's abuse of process, defamatory statements, and complaints against Defendants by Staneart which the Arlington Police Department believed lacked merit.

12. Mr. Eric W. Schwethelm, Federal Bureau of Investigation, One Justice Way, Dallas, Texas 75220, (972) 559-5000.

Mr. Schwethelm may have knowledge regarding abuse of process and defamatory statements by Staneart, TLI and/or others acting on his/its/their behalf relative to Defendants and others who are current and/or former employees and/or independent contractors of TLI.

13. Mr. Ronnie Buentello, Federal Bureau of Investigation, One Justice Way, Dallas, Texas 75220, (972) 559-5000.

Mr. Buentello may have knowledge regarding abuse of process and defamatory statements by Staneart, TLI and/or others acting on his/its/their behalf relative to Defendants and others who are current and/or former employees and/or independent contractors of TLI.

14. Employees, officers and/or managers of Together We Rise. 580 W Lambert Rd., #A, Brea, California 92821, (714) 784-6760.

Such individuals are believed to have knowledge regarding the use of the phrase Build a Bike and facts which support the cancellation of Plaintiffs' Build-a-Bike® marks. Such individuals may also have knowledge relative to Defendants' abuse of process and other counter-claims and defenses in this Lawsuit.

15. Employees, officers and/or managers of Teambonding, Inc. Phone number (888) 398-8326.

Such individuals, including David Goldstein, are believed to have knowledge regarding the use of the phrase Build a Bike and facts which support the cancellation of Plaintiffs' Build-a-Bike® marks. Such individuals may also have knowledge relative to Defendants' abuse of process and other counter-claims and defenses in this Lawsuit.

16. Lawyers and employees of the law firm of Conley Rose, P.C., 5601 Granite Parkway, Suite 500, Plano, Texas 75024. (972) 731-2288.

Lawyers and employees of Conley Rose, P.C., including Kristin Jordan Harkins, may have knowledge regarding abuse of process by Doug Staneart, and violations of Federal and State Law, including the Texas Rules of Professional Conduct, by threatening criminal action in an attempt to gain an advantage in a civil proceeding in addition to aiding a client in a known illegal activity. Lawyers of Conley Rose, P.C., including Kristin Jordan Harkins and Darlene Ghavimi, may have knowledge relative to Defendants' abuse of process claims, in addition to the claims, counter-claims and defenses in this Lawsuit.

17. Lawyers and employees of Klemchuck, LLP, 8150 N. Central Expressway, 10th Floor, Dallas, Texas 75206.

Lawyers and employees of Klemchuck, LLP, including Gary Sorden, have knowledge relative to Defendants' abuse of process claims in this Lawsuit.

18. Brown, PC, 500 Main Street, Suite 400, Fort Worth, Texas 76102.

Lawyers and employees of Brown, PC, including Cynthia A. Cook, have knowledge relative to Defendants' abuse of process claims in this Lawsuit.

19. Mr. Doug Staneart  
c/o Klemchuck, LLP and Brown, PC.

Testimony regarding Plaintiffs' alleged confidential information and trade secrets; Plaintiff's trademarks; all allegations in Plaintiffs' Complaints, Defendants' Answer, Affirmative Defenses and Counterclaims, and Plaintiffs' Answer to Defendants' Counterclaims. Staneart also has knowledge regarding forgery of the alleged February 1, 2011 non-compete agreement, false and defamatory statements he made relative to Defendants, and abuse of process, retaliation and harassment as to Jackson and other former employees and/or independent contractors of TLI and/or Staneart.

20. Defendants' and Counter-Plaintiffs' lawyers, including Steven G. Cracraft, William K. Doss, Amy A. Rollins, Allen R. Vaught and Michael Marconi, upon Defendants' and/or Counter-Plaintiffs becoming prevailing parties, may offer fact and expert testimony on the reasonableness and necessity of attorneys' fees and/or costs. Additionally, those lawyers may offer rebuttal expert testimony as to the reasonableness and necessity of Plaintiffs' and Counter-Defendants' attorneys' fees and/or costs, if any.

**B. Documents and Things.** Copies or descriptions by category and location of all documents or things Defendants have in their possession or control that they may use to support their defenses (unless they will be used solely for impeachment):

1. Documents relating to Defendants' business.
2. Documents related to alleged infringement.
3. Documents related to alleged damages.
4. Documents related to notices, demands, and alleged willful infringement.

5. Documents related to competitive services.
6. E-mail communications with company personnel and customers of Defendants.
7. E-mail communications between Plaintiffs and Defendants and other third parties.
8. Documents in support of Defendants' counter-claim for Abuse of Process.
9. Documents in support of Defendants' counter-claim for Tortious Interference with Business Relations.
10. Documents in support of Defendants' counter-claim for cancellation of Build-a-Bike® marks.
11. Documents in support of Defendants' counter-claim for Federal Copyright Infringement (17 U.S.C. § 501, *et seq.*).
12. All documents produced by Plaintiffs and Defendants in the lawsuit styled *Robert Jackson, et al. v. The Leader's Institute, LLC, et al.*; Case No. 1:14-cv-193-TWP-DML; In the U.S. District Court for the Southern District of Indiana, Indianapolis Division.
13. All deposition testimony, declarations, affidavits motions, orders and pleadings relative to the lawsuit styled *Robert Jackson, et al. v. The Leader's Institute, LLC, et al.*; Case No. 1:14-cv-193-TWP-DML; In the U.S. District Court for the Southern District of Indiana, Indianapolis Division.
14. All documents, declarations, affidavits, motions, orders and pleadings in/relative to the lawsuit styled *The Leader's Institute, LLC and Doug Staneart v. Robert Jackson, Magnovo Training Group, LLC, Colette Johnston and Short Splice, Inc.*, Cause No. 348-268164 13, in the 348<sup>th</sup> Judicial District Court of Tarrant County, Texas.
15. Documents from websites of numerous other companies which use the phrase Build a Bike and/or the words build and bike in the same sentence in connection with their business operations.
16. Documents produced in this Lawsuit with Bates Labels JAC 000001-003707, and all supplemental documents produced in this Lawsuit by Defendants.
17. All documents produced by Staneart, TLI and/or any person acting on his/its/their behalf to the Federal Bureau of Investigation and/or United States Department of Justice which reference or discuss Jackson, Magnovo, Colette Johnston, Ellen Patnaude, Tanya Thompson and/or Short Splice.

18. All documents produced by Staneart, TLI and/or any person acting on his/its/their behalf to the to the Federal Bureau of Investigation and/or United States Department of Justice which reference or discuss the subject matter of the claims, counter-claims and defenses in this Lawsuit.
19. Documents produced in this Lawsuit by Plaintiffs and Counter-Defendants.
20. Documents sent to and from any and all law enforcement agencies, state and/or federal, by TLI, Staneart and/or counsel for Plaintiffs and Counter-Defendants addressing Jackson, Magnovo, Johnston and/or Short Splice.
21. Documents obtained in this Lawsuit by subpoena issued by any party.
22. Relevant documents to the claims, counter-claims and defenses, to the extent they are in the possession, custody, or control of Defendants. All e-mail communications are located either on a hosted e-mail server with Microsoft Office 365, stored in .pst files on individual computers, or kept in hard copy format. To the extent required, they have been or will be produced at the appropriate time. Further, Defendants are continuing to investigate the evidentiary bases for Plaintiffs' claims and, if necessary, will supplement its initial disclosures.

**C. Damages Computation.** A calculation of any category of damages suffered:

Defendants seek statutory, economic, non-economic and punitive damages, including treble damages, as allowed by their respective causes of action set forth in their counter-claims. Defendants also seek reasonable attorney fees and costs as allowed for the counter-claims and defenses in this Lawsuit. Damages are ongoing due to Plaintiffs' conduct, and Defendants reserve their right to supplement this response.

**D. Liability Insurance.** Any insurance agreement under which an insurance business may be liable to satisfy all or part of a possible judgment in the action or to indemnify or reimburse for payments made to satisfy the judgment.

Defendants do not have an insurance agreement applicable to the claims and defenses in this Lawsuit.

Dated: July 15, 2016.



Respectfully submitted,

s/ Amy A. Rollins

Steven G. Cracraft, IN Bar No. 3417-49  
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**ATTORNEYS FOR DEFENDANTS**  
**ROBERT JACKSON AND MAGNOVO TRAINING**  
**GROUP, LLC**

**CERTIFICATE OF SERVICE**

I hereby certify that on July 15, 2016, the foregoing was served upon the following counsel of record as indicated below:

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Roxanne Edwards  
Corey Weinstein  
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By: s/Allen R. Vaught